

Record of Proceedings

CALL TO ORDER	A regular meeting of the Council Bluffs City Council was called to order Monday, August 25, 2008 at 7:00 p.m.
ATTENDANCE	Present: Councilmembers Darren Bates, Scott Belt, Lynne Branigan, Matt Schultz, Matt Walsh. Mayor Thomas Hanafan Staff present: Dick Wade, City Attorney, Judith Ridgeley, City Clerk
CONSENT AGENDA	Schultz and Branigan moved and seconded to amend the Consent Agenda by removing Resolution 08-243 for separate consideration. Unanimous Belt and Bates moved and seconded approval of the Consent Agenda as amended. Unanimous
Resolution 08-243	Belt and Walsh moved and seconded approval of Resolution 08-243, intent to vacate a portion of S. 7 th Street ROW abutting 2910 S 7 th Street and setting public hearing for September 8, 2008 at 7:00 p.m. ROLL CALL VOTE: 4 Aye, 1 Abstain (Schultz)
ORDINANCES ON SECOND READING Ordinance 6009	Belt and Branigan moved and seconded approval of Ordinance 6009, amending the effective dates for Ordinance 5986 and amending Section 3 of Ordinance 6000. Unanimous Walsh and Belt moved and seconded to waive third reading of Ordinance 6009. Unanimous
ORDINANCES ON FIRST READING Ordinance 6010	Belt and Walsh moved and seconded approval of Ordinance 6010, amending Chapter 8.18 of the Municipal Code. Unanimous
Ordinance 6011	Belt and Branigan moved and seconded approval of Ordinance 6011, repealing the tax increment financing district for the East Broadway Urban Renewal Area. Unanimous
RESOLUTIONS Resolution 08-248	Bates and Branigan moved and seconded approval of Resolution 08-248, adopting a Planned Commercial Development Plan for the Wedge Action Sports Complex. Mr. Josh Schultz, Lake Mills, WI, was present to speak in favor of the proposed development. Bates and Schultz moved and seconded to amend the Resolution by providing for two digital signs near interstate right-of-way. Unanimous. Bates and Branigan concurred with the amendment. Unanimous.
Resolution 08-249	Belt and Bates moved and seconded approval of Resolution 08-249, authorizing the Mayor to execute the first addendum to the agreement for private development between the City and Council Bluffs Retirement LLC. Unanimous
Resolution 08-250	Belt and Branigan moved and seconded approval of Resolution 08-250, repealing the East Broadway urban Renewal Plan and Area. Unanimous
Resolution 08-251	Branigan and Bates moved and seconded approval of Resolution 08-251, setting date for consultation and public hearing on proposed Amendment No. 3 to the Mid-America Center Urban Renewal Plan. Unanimous

RECORD OF PROCEEDINGS

Resolution 08-252 Belt and Branigan moved and seconded approval of Resolution 08-252, accepting work of MFT Construction in connection with the 10th Avenue Storm Sewer Improvements and authorizing the Finance Director to issue a City check in the amount of \$16,958.92. Unanimous

Resolution 08-253 Branigan and Bates moved and seconded approval of Resolution 08-253, authorizing the Mayor to execute a non-binding letter of intent to enter a development agreement with Continental Iowa Outlets, LLC for use of urban renewal and other assistance. Unanimous

Resolution 08-254 Belt and Branigan moved and seconded approval of Resolution 08-254, authorizing the Mayor to execute an agreement with Eriksen Construction Company, Inc., for the digester cover repair project. Unanimous

RECEIVE AND FILE ITEMS

Branigan and Belt moved and seconded to receive and file the following:

- a) Letter from citizen Tom Hirschert
 - b) List of Bills, July 31, 2008
 - c) Cash Balance statement, July 31, 2008
 - d) Ten Notices of Expiration of Right of Redemption
 - e) Five Notices of Claim/Loss
 - f) One Notice of Appeal, Property Tax Assessment
- Unanimous

**APPLICATIONS FOR
PERMITS OR
CANCELLATIONS**

Belt and Branigan moved and seconded approval of the following applications:

- a) Application for renewal of liquor license:

Atherton Automotive	La Mesa Restaurant
Big K Mart	Mid America Center
D & J's Fuel Stop	Pilot Travel Center
Godfather's Pizza	Sam's Club
Godfather's Pizza	Sinclair Retail
Jonesy's Taco House	Wal Mart Superstore
- b) Application for temporary liquor license:

HyVee Oktoberfest	Holy Family Catholic
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- c) Application for new liquor license:

Uncle Mike & Maggie's Irish Pub

- d) Application for Special Event:

Scott Street Pub	J & M Displays
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- e) Applications for Cigarette/Tobacco Permit:

I-80 Liquor	Sam's Club
Wal Mart Supercenter	

Unanimous

**CITIZEN'S REQUEST TO
BE HEARD**

Mr. Tom Hirschert, owner/manager of T's Tavern, 2400 9th Avenue requested City Council consider a change to the "outdoor dining" ordinance to allow him to construct an outdoor area for his patrons to drink and smoke outside of the building premises.

RECORD OF PROCEEDINGS

Councilmember Schultz directed Staff to prepare a resolution of support for the Iowa Attorney General's lawsuit against the Ponca Indian Tribe and to place such resolution on the September 8, 2008 Council agenda. He also instructed that a copy of the resolution be forwarded to all cities in Pottawattamie County to gather additional support.

ADJOURNMENT

There being no further business, Schultz and Belt moved and seconded to adjourn the meeting at 7:33 p.m. Unanimous

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Thomas P. Hanafan, Mayor

ATTEST:

Judith H. Ridgeley, City Clerk